

ORDINANCE NO. 4969

An Ordinance repealing Section 2 (3) of McMinnville Planned Development Ordinance No. 4696.

RECITALS

The Planning Department received an application (ZC 2-13) from Vernon and Sheila McCluskey, Kelly Couch, and Mark Goodman requesting that Section 2 (3) of McMinnville Planned Development Ordinance No. 4696 be amended by removing the current restriction on the removal of trees greater than nine inches in diameter from private properties within the Grandhaven Heights subdivision.

A public hearing was held on April 18, 2013, at 6:30 p.m. before the McMinnville Planning Commission after due notice had been given in the local newspaper on April 9, 2013, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials, and a staff report were presented; and

The Planning Commission, being fully informed about said request, found that it was not in the public interest or consistent with applicable comprehensive plan policies to make such an amendment to the planned development ordinance, and, on that basis, denied the applicant's request. Notice of the Commission's decision was mailed on April 19, 2013, to all parties that participated in the hearing advising them of the decision and their appeal rights; and

Subsequent to that notification, on May 2, 2013, an appeal of the Planning Commission's action was filed with the McMinnville Planning Department by Vernon and Sheila McCluskey, Kelly Couch, and Mark Goodman. Consistent with the requirements of the McMinnville Zoning Ordinance, a public hearing was scheduled before the City Council on May 28, 2013, after due notice had been given in the local newspaper on May 21, 2013, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials and staff report were presented and a decision reached; and now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council upholds the appeal, thereby reversing the Planning Commission's decision, and finds that the repeal of Section 2 (3) of McMinnville Planned Development Ordinance No. 4696 is in the public interest and consistent with applicable comprehensive plan policies.

Section 2. That Section 2 (3) of McMinnville Planned Development Ordinance No. 4696 is hereby repealed in its entirety.

Passed by the Council this 11th day of June, 2013, by the following votes:

Ayes: Hill, Jeffries, May, Menke, Ruden, Yoder

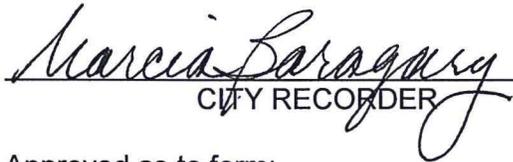
Nays: _____

Approved this 11th day of June, 2013.



MAYOR

Attest:



CITY RECORDER

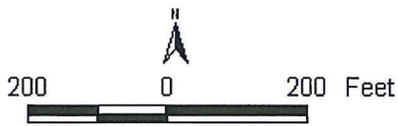
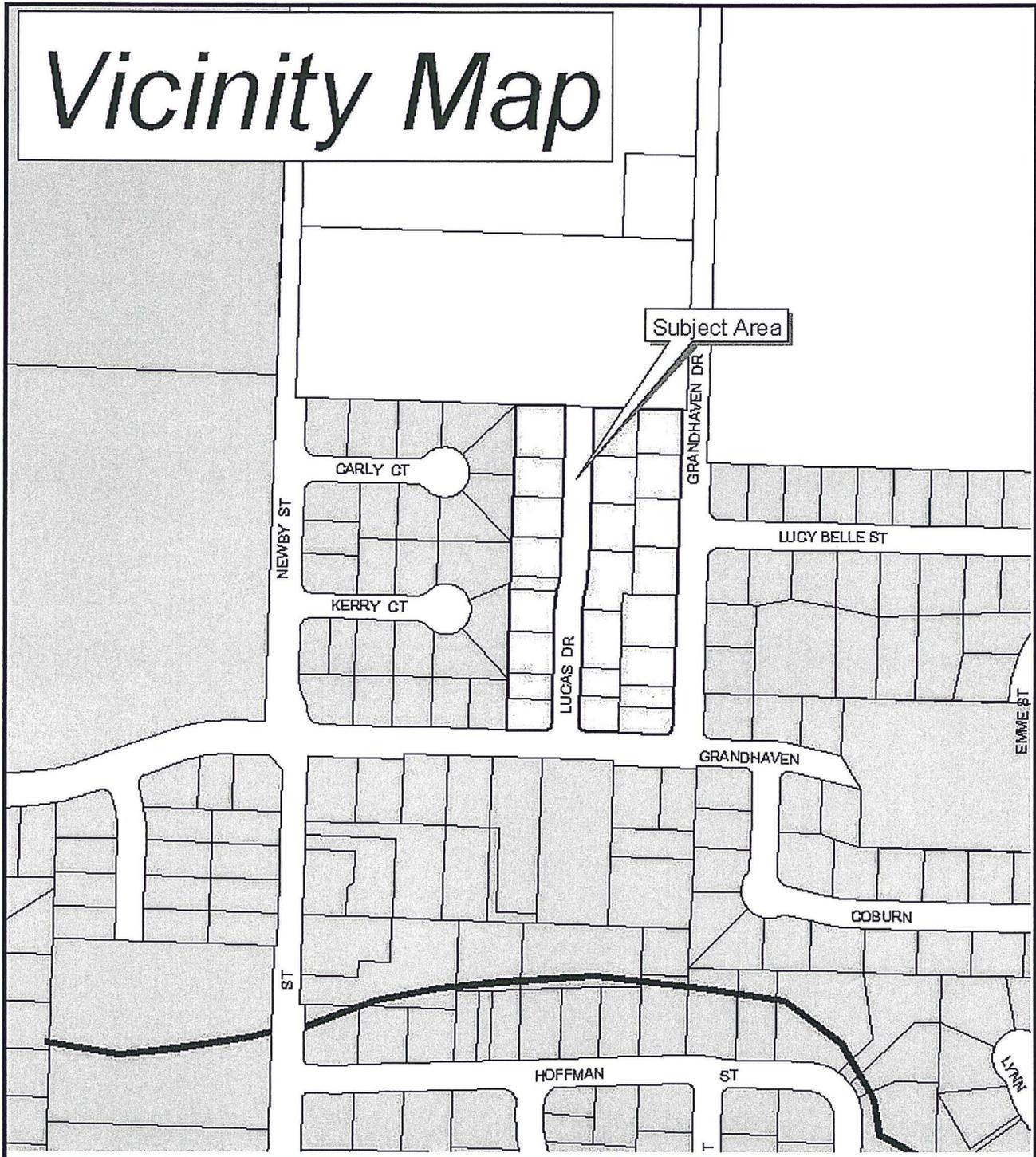
Approved as to form:



CITY ATTORNEY

Exhibit "A"

Vicinity Map



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